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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

[Docket No. NHTSA-2015-0082; Notice 1]

Notice of Receipt of Petition for Decision that
Nonconforming Model Year 2009 Mercedes-Benz G Class Long
Wheelbase (463 Chassis) Multipurpose Passenger Vehicle Are
Eligible for Importation

AGENCY: National Highway Traffic Safety Administration
(NHTSA), Department of Transportation (DOT).

ACTION: Receipt of petition.

SUMMARY: This document announces receipt by the National Highway Traffic Safety Administration (NHTSA) of a petition for a decision that model year (MY) 2009 Mercedes-Benz G Class Long Wheelbase (LWB) (463 Chassis) multipurpose vehicles (MPVs) that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards (FMVSS), are eligible for importation into the United States because they are substantially similar to vehicles that were originally manufactured for sale in the United States and that were certified by their manufacturer as complying with the safety standards (the U.S.-certified version of the 2009 Mercedes-Benz

G Class LWB MPV) and they are capable of being readily altered to conform to the standards.

DATE: The closing date for comments on the petition is **[30 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER]**.

ADDRESSES: Comments should refer to the docket and notice numbers above and be submitted by any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.
- *Mail:* Docket Management Facility: U.S. Department of Transportation, 1200 New Jersey Avenue S.E., West Building Ground Floor, Room W12-140, Washington, D.C. 20590-0001
- *Hand Delivery or Courier:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue S.E., between 9 a.m. and 5 p.m. ET, Monday through Friday, except Federal holidays.
- *Fax:* 202-493-2251

INSTRUCTIONS: Comments must be written in the English language, and be no greater than 15 pages in length, although there is no limit to the length of necessary attachments to the comments. If comments are submitted in hard copy form, please ensure that two copies are provided. If you wish to receive

confirmation that your comments were received, please enclose a stamped, self-addressed postcard with the comments. Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading below.

Privacy Act: Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the *Federal Register* published on April 11, 2000 (65 FR 19477-78).

How to Read Comments submitted to the Docket: You may read the comments received by Docket Management at the address and times given above. You may also view the documents from the Internet at <http://www.regulations.gov>. Follow the online instructions for accessing the dockets. The docket ID number and title of this notice are shown at the heading of this document notice. Please note that even after the comment closing date, we will continue to file relevant information in the Docket as it becomes available. Further, some people may submit late comments. Accordingly, we recommend that you periodically search the Docket for new material.

FOR FURTHER INFORMATION CONTACT: George Stevens, Office of
Vehicle Safety Compliance, NHTSA (202-366-5308).

SUPPLEMENTARY INFORMATION:Background

Under 49 U.S.C. § 30141(a)(1)(A), a motor vehicle that was not originally manufactured to conform to all applicable FMVSS shall be refused admission into the United States unless NHTSA has decided that the motor vehicle is substantially similar to a motor vehicle originally manufactured for importation into and sale in the United States, certified under 49 U.S.C. § 30115, and of the same model year as the model of the motor vehicle to be compared, and is capable of being readily altered to conform to all applicable FMVSS.

Petitions for eligibility decisions may be submitted by either manufacturers or importers who have registered with NHTSA pursuant to 49 CFR part 592. As specified in 49 CFR 593.7, NHTSA publishes notice in the Federal Register of each petition that it receives, and affords interested persons an opportunity to comment on the petition. At the close of the comment period, NHTSA decides, on the basis of the petition and any comments that it has received, whether the vehicle is eligible for importation. The agency then publishes this decision in the Federal Register.

J.K. Technologies LLC (JK) of Baltimore, Maryland (Registered Importer R-90-006) has petitioned NHTSA to decide whether nonconforming 2009 Mercedes-Benz G Class LWB MPVs are eligible for importation into the United States. The vehicles which JK believes are substantially similar are MY 2009 Mercedes-Benz G Class LWB MPVs sold in the United States and certified by their manufacturer as conforming to all applicable FMVSS.

The petitioner claims that it compared non-U.S. certified MY 2009 Mercedes-Benz G Class LWB MPVs to their U.S.-certified counterparts, and found the vehicles to be substantially similar with respect to compliance with most FMVSS.

JK submitted information with its petition intended to demonstrate that non-U.S. certified MY 2009 Mercedes-Benz G Class LWB MPVs, as originally manufactured, conform to many applicable FMVSS in the same manner as their U.S.-certified counterparts, or are capable of being readily altered to conform to those standards.

Specifically, the petitioner claims that the non U.S.-certified MY 2009 Mercedes-Benz G Class LWB MPVs, as originally manufactured, conform to: Standard Nos. 102 Transmission Shift Lever Sequence, Starter Interlock, and Transmission Braking

Effect, 103 Windshield Defrosting and Defogging Systems,
 104 Windshield Wiping and Washing Systems, 106 Brake Hoses,
 113 Hood Latch System, 116 Motor Vehicle Brake Fluids,
 118 Power-Operated Window, Partition, and Roof panel System,
 124 Accelerator Control Systems, 135 Light Vehicle Brake
Systems, 138 Tire Pressure Monitoring Systems, 139 New
pneumatic radial tires for light vehicles, 201 Occupant
Protection in Interior Impact, 202 Head Restraints,
 204 Steering Control Rearward Displacement, 205 Glazing
Materials, 206 Door Locks and Door Retention Components,
 207 Seating Systems, 209 Seat Belt Assemblies, 210 Seat Belt
Assembly Anchorages, 212 Windshield Mounting, 214 Side Impact
Protection, 216 Roof Crush Resistance, 219 Windshield Zone
Intrusion, and 302 Flammability of Interior Materials.

The petitioner also contends that the subject non-U.S. certified vehicles are capable of being readily altered to meet the following standards, in the manner indicated:

Standard No. 101 Controls and Displays: replacement of the original instrument cluster with the U.S. model component and reprogramming the associated software as described in the petition. Inspection of each vehicle, and replacement of the cruise control lever with the U.S.-model component if required for the vehicle to conform to the standard.

Standard No. 108 Lamps, Reflective Devices and Associated Equipment: replacement of the front and rear turn signal and side marker lamps, headlamps, taillamps, stop lamps, and backup lamps with U.S.-conforming components.

Standard No. 110 Tire Selection and Rims: installation of the required tire information placard.

Standard No. 111 Rearview Mirrors: replacement of the passenger side rearview mirror with a U.S.-model component or inscription of the required warning statement on the face of the existing mirror.

No. 114 Theft Protection and Rollaway Prevention: reprogramming to activate the audible key warning and belt warning as described in the petition.

Standard No. 208 Occupant Crash Protection: the petitioner states that the passive restraint systems of the international specification vehicles comply with the requirements of this standard and are identical to the US version with respect to all aspects of this standard, except for the passenger sun visor and dash mounted air bag warning labels. The petitioner also states that all software used to control the occupant crash protection systems bears the US program codes and all hardware parts bear the US part numbers.

Standard No. 225 Child Restraint Anchorage Systems:
installation of U.S. model anchorages and labels.

Standard No. 301 Fuel System Integrity: the petitioner states that the fuel systems in these vehicles are identical to those in the U.S.-certified model. Fuel spillage problems are controlled by the evaporative system that was installed to meet EPA requirements. These evaporative systems have a rollover and check valve incorporated into their design.

The petitioner also states that a vehicle identification plate must be affixed to the vehicle near the left windshield pillar to meet the requirements of 49 CFR part 565.

All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above addresses both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the Federal Register pursuant to the authority indicated below.

Authority: 49 U.S.C. 30141(a)(1)(A), (a)(1)(B), and (b)(1); 49 CFR 593.7; delegation of authority at 49 CFR 1.95 and 501.8.

Jeffrey M. Giuseppe, Director
Office of Vehicle Safety Compliance

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